



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,778	03/24/2004	Baokang Bi		2777

41145 7590 04/05/2006

BAOKANG BI
3928 EAST SUNWIND DRIVE
OKEMOS, MI 48864

EXAMINER

RUTLEDGE, DELLA J

ART UNIT	PAPER NUMBER
----------	--------------

2851

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,778

Applicant(s)

BI, BAKANG

Examiner

D. Rutledge

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3,6-9,13,17,19,22,24,27-31,36,37,39,40,42,45,46,48,49,51,53 and 54 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Continuation of Disposition of Claims: Claims pending in the application are 1-3,6-9,13,17,19,22,24,27-31,36,37,39,40,42,45,46,48,49,51,53 and 54.

DETAILED ACTION

Specification

1. The applicant has attempted to submitted a Substitute Specification, however, all the requirements for submitting a substitute specification have not been met.

A.) The applicant must submit a statement stating that the substitute specification “contains no new matter”. “New matter” means any additional statement or changes that do not have support in the original specification or drawings or claims.

B.) The applicant submitted the marked up copy of the specification showing the amendments to be made, but a “clean” copy was not submitted. A “clean copy” is a copy of the specification with the amendments already typed therein. For example, if the marked up copy of the specification showed a sentence such as: “The Fresnel zone plates are moved.” The ‘clean copy” of the specification would show the sentence without the underlining: “The Fresnel zone plates are moved.” Re-type the entire specification in “clean copy” form.

Correction is required.

Claim Objections

2. Claim 19 is objected to because it is dependent on cancelled Claim 18. Correct Claim 19 so that it depends from an earlier Claim, such as Claim 17 and the claim will be allowable.

Correction is required.

Allowable Subject Matter

3. Claims 1 – 3, 6 - 9, 13, 17, 18, 22, 24, 27 – 31, 36 – 37, 39 – 40, 42, 45, 46, 48, 49, 51, 53 and 54 are allowed.

Conclusion

4. This application is in condition for allowance except for the following formal matters:

See paragraphs 1 and 2.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.


Response Data

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Rutledge whose telephone number is (571) 272-2127. The examiner can normally be reached on Mon - Thurs, 6:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


D. Rutledge
Primary Examiner
Art Unit 2851

dr
4/3/06